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ESTTA609957 06/13/2014

Filing date:

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052260	
Party	Defendant Edgar Alexander Barrera	
Correspondence Address	EDGAR ALEXANDER BARRERA BY MELISSA BARRERA POWER OF ATTORNEY 22159 LADERA STREET GRAND TERRACE, CA 92313 UNITED STATES axlellism@netbusiness.com	
Submission	Other Motions/Papers	
Filer's Name	Edgar Alexander Barrera/	
Filer's e-mail	Axlellism@netbusiness.com	
Signature	/edgaralexanderbarrera/	
Date	06/13/2014	
Attachments	TTAB 6-14-14 001.pdf(1512264 bytes )	

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

STEPHEN A. WESTLAKE	)
Petitioner,	) Cancellation No. 92/052,260 ) (Serial No. 77/378,015
EDGAR ALEXANDER BARRERA	)
Respondent.	)

## EMERGENCY MOTION OF TIME EXTENSION FOR PRETRIAL DISCLOSURES

Edgar Alexander Barrera, is the Respondent in this matter.

Respondent respectfully requests the TTAB to reconsider this previous motion as the interests of justice being served. The Respondent cannot help or control my godfather's very unhealthy condition. Respondent's godfather has been very ill and justice needs to be allowed some more time due to his serious condition. My godfather has all the important Pretrial Disclosure information which I need for the TTAB. He suffered another small stroke on June 3, 2014.

Attached are letters from Donald J. Fornace, D.O., 1184 Oceanshore Boulevard, Ormond Beach, FL 32176, dated April 29, 2014 and Cortney Davis, ARNP, Jena Medical, 1180 W. Granada Blvd., Ormond Beach, FL 32174 dated April 25, 2014. Both are concerning Respondent's godfather's situation.

I am doing everything as fast as possible for the TTAB. I will submit the Plaintiff's Pretrial Disclosures as soon as I can. Respondent needs an extension of time and respectfully pleas upon this TTAB to grant this Motion and Request due to my godfather's circumstances.

I also plea that the proceedings be suspended pending the disposition of my motion due to these circumstances beyond Respondent's control.

The interests of justice will be better served if this continuance and suspension of the proceedings are granted.

WHEREFORE, Respondent respectfully seeks this Motion for an Extension of Time and Request for a Stay of Proceedings for the Plaintiff's Pretrial Disclosures are based upon the forgoing reasons due to the Circumstances beyond Respondent's control.

Edgar Alexander Barrera, Respondent

22159 Ladera Street

Grand Terrace, CA 92313

#### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing instrument was placed in the United States Mail, postage prepaid, this 1416day of June 2014, addressed to:

Mark Levy, 700 Security Mutual Bldg., 80 Exchange Street, Binghamton, NY 13902

and

Kevin Guyette, 19 Chenango St. #1101, Binghamton, NY 13901-2904

Edgar Alexander Bantera, Respondent

22159 Ladera Street

Grand Terrace, CA 92313

JENA MEDICAL DAVID K. YOON, M.D. JAMES BROWN, M.D. CORTNEY DAVIS, ARNP ANN GAFFKA, ARNP YANELIS LEYVA, ARNP 1180 W. GRANADA BLVD. ORMOND BEACH, FL 32174 FAX: (386) 672-5341 (386) 677-2606 Address SECURITY FEATURES ON BACK R P+ needs to Avoid stressful or stenuous Refill NR 1 2 3 4 MD/ARNP To ensure that a brand name product be dispensed, the prescriber must handwrite "Brand Medically Necessary" on the prescription form.

#### DONALD J. FORNACE, D.O.

1184 OCEANSHORE BOULEVARD ORMOND BEACH, FL 32176

386) 441-6636	DEA# BF0461234 LIC# OS5475
386) 441-6680 NAME Dester Eucl ADDRESS	DATE 4/29/14
R. Piense excu	se mr. Euell
Long Court.	due to his
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Being treated he has had	plemois open
- Laborheart Surger	
Refill Times (Signa	ture)